Docket No.: QCO.094A/061113 September 21, 2009

Page 1 of 1

Please Direct All Correspondence to Customer Number 20995

NOTICE OF APPEAL

FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant

Lin et al.

App. No

10/815,905

Filed

March 31, 2004

For

INTERFEROMETRIC MODULATION

PIXELS AND MANUFACTURING

METHOD THEREOF

Examiner

Tran, Hoang Q.

Art Unit

2874

CERTIFICATE OF EFS WEB TRANSMISSION

I hereby certify that this correspondence, and any other attachment noted on the automated Acknowledgement Receipt, is being transmitted from within the Pacific Time zone to the Commissioner for Patents via the EFS Web server on:

September 21, 2009

(Date)

Mail Stop AF

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated July 22, 2009 finally rejecting Claims 20-28.

- (X) A Pre-Appeal Brief Request for Review in 5 pages.
- (X) The amount of \$540 to cover the fee for Notice of Appeal (41.20(b)(1)) will be paid via EFS Web.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Dated: September 21, 2009

Jeremy R. Pierce

Registration No. 59,034 Attorney of Record

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